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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-1278)

In re Application of:

Lawton, et al.

Serial No.: 09/765,739

Filed: January 18, 2001

For: Compositions and Methods for the Detection of
Ehrlichia Canis and Ehrlichia Chaffensis
Antibodies

Art Unit: To be assigned

Examiner: To be assigned

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above identified new patent application:

- ☐ Patent Specification (pages, including cover sheet, claims, and abstract)
☐ Drawings (sheets)
☒ Return Postcard
☒ Other: Response to Notice of Incomplete Reply; A copy of the Notice of Incomplete Reply; Sequence Listing (computer-readable form); No Fee required

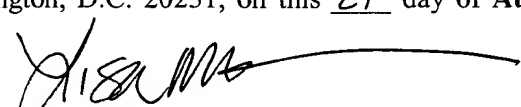
2. ☐ A check in the amount of \$ is enclosed for the Filing Fee.

- ☐ Please charge the total filing fee of \$ to our Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "First Class Mail" in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on this 21st day of August, 2001.

By:


Lisa M.W. Hillman

Registration No. 43,637



UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-1278)

PATENT

In the Application of:

Lawton, et al.

Serial No.: **09/765,739**

Filed: **January 18, 2001**

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Chaffeensis Antibodies**

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)
) Art Unit: To be assigned

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) Examiner: To be assigned
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RESPONSE TO NOTICE OF INCOMPLETE REPLY

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

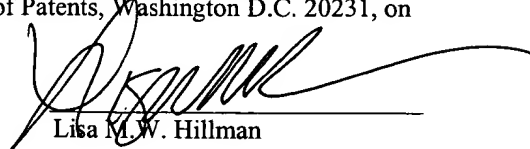
This paper is filed in response to the notice of incomplete reply mailed on July 23, 2001. The notice of incomplete reply states that a copy of the Sequence Listing in computer readable form was not submitted with the Response to Notice to Comply with Requirements for Applications Containing Sequence Disclosures mailed by Applicants on June 13, 2001.

The computer readable form of the Sequence Listing, however, was included in the Response dated June 13, 2001. Attached in Appendix A is the transmittal letter that

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington D.C. 20231, on August 21, 2001.

Date: August 21, 2001


Lisa M.W. Hillman

accompanied the response. The transmittal letter states that a computer readable form of the sequence listing is enclosed. Additionally, the transmittal letter contains a certificate of mailing under 37 CFR §1.8 signed by the undersigned attorney that states: "The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on June 13, 2001." The computer readable form of the sequence listing is listed in paragraph 1 of the transmittal letter.

According to standard procedure the computer readable form of the sequence listing was copied and kept in the prosecution file. Appendix B contains a copy of the computer readable form of the sequence listing that was mailed with the Response.

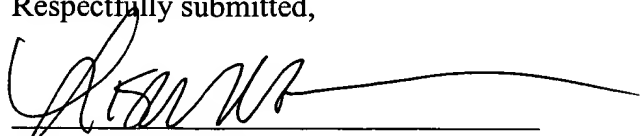
The undersigned attorney has personal knowledge that the computer readable form of the sequence listing was timely filed. The undersigned attorney signed the certificate of mailing for the Response in question and had a reasonable basis to expect that the correspondence would be mailed on the date indicated by the certificate. Since the computer readable form of the sequence listing was timely filed as evidenced by the certificate of mailing, Applicants believe that a petition for extension of time and fee is not required. However, if the Office believes otherwise, the undersigned authorizes the Commissioner to charge our deposit account number 13-2490 for an extension of time so that the enclosed computer readable form of the sequence listing is entered and considered.

Another copy of the computer readable form of the sequence listing is enclosed. The computer readable form is identical to the paper copy of the sequence listing. The computer readable form of the sequence listing adds no new matter.

Respectfully submitted,

Date: August 21, 2001

By:


Lisa M.W. Hillman
Reg. No. 43,673



APPENDIX A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB Ref. No. 00-1278)

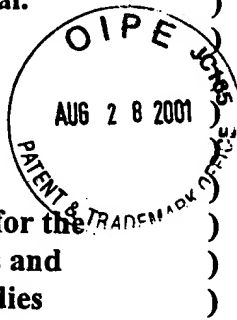
PATENT

In re Application of: Lawton, et al.

Serial No.: 09/765,739

Filed: January 18, 2001

For: Compositions and Methods for the
Detection of Ehrlichia Canis and
Ehrlichia Chaffensis Antibodies



Group Art Unit: 1653

Examiner: To Be Assigned

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231


Dear Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached
 - a. Response to Notice to Comply with Requirements for Applications Containing Sequence Disclosures;
 - b. Sequence Listing (paper copy) (2 sheets);
 - d. Sequence Listing (electronic copy); and
 - e. Return Receipt Postcard.
2. With respect to fees:
 - a) No fee is required
3. Please charge any deficiency in the amount due, or credit any overpayment, to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on June 13, 2001.

Dated: June 13, 2001

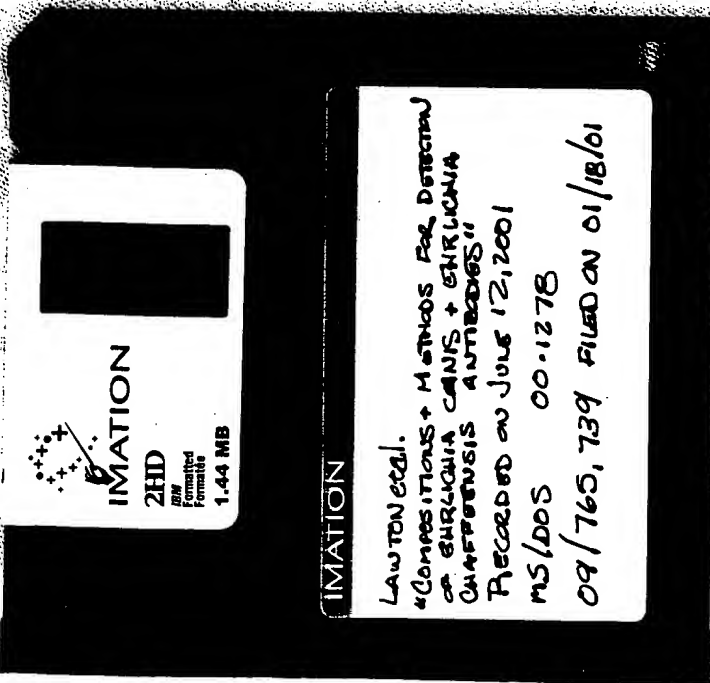
By:



Lisa M.W. Hillman
Reg No. 43,673



APPENDIX B



IMATION

2HD

1.44 MB

Formatted
Floppy

IMATION

LAWTON, Ned.

"COMPOSITIONS + METODOS PARA DETECCION
DE BURBUJAS CANIS + BURBUJAS
CANIS AUTOMATICO"

RECORDED ON JUNE 12, 2001

MS/DOS 00.1278

09/765,739 FILED ON 01/18/01



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/765,739 | 01/18/2001 | Robert Lawton | 00-1278 |

CONFIRMATION NO. 9509

20306
MCDONNELL BOEHNEN HULBERT & BERGHOF
300 SOUTH WACKER DRIVE
SUITE 3200
CHICAGO, IL 60606

FORMALITIES LETTER



OC00000006330794

Date Mailed: 07/23/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Ngan

Customer Service Center

Initial Patent Examination Division (703) 368-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

